

Practitioner's Docket No. FORE-107

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kevin Nolish, Drew Anderson and Keith Arner

Application No.: 10/782,217

Group No.: 2113

Filed: 02/19/2004

Examiner: Elmira Mehrmanesh

For: METHOD, APPARATUS AND SOFTWARE FOR PREVENTING SWITCH FAILURES IN THE PRESENCE OF FAULTS

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

X with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Date: 10/16/06

Tracey L. Klaas
Signature

Tracey L. Klaas

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

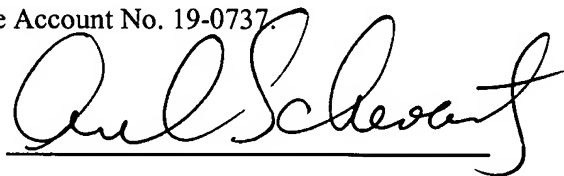
| | (Col. 1) | (Col. 2) | (Col. 3) | OTHER THAN A SMALL ENTITY | | | |
|--|---|--------------------------------------|------------------|---------------------------|---------------|------|--|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE | | |
| TOTAL | 18 | — 20 | = 0 | x \$ 50 | = \$ | 0.00 | |
| INDEP. | 3 | — 3 | = 0 | x \$ 200 | = \$ | 0.00 | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | | + \$ 0.00 | = \$ | 0.00 | |
| TOTAL ADDIT. FEE | | | | | \$ | 0.00 | |

No additional fee for claims is required.

FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 19-0737.

If an additional fee for claims is required, charge Account No. 19-0737.



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Elmira Mehrmanesh

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**METHOD, APPARATUS AND
SOFTWARE FOR PREVENTING
SWITCH FAILURES IN THE
PRESENCE OF FAULTS**
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October 16, 2006

Sir:

AMENDMENT

In response to the Office Action dated July 14, 2006, please enter the following amendments to the above-identified application as follows.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 10/1/83.

Ansel M. Schwartz
Registration No. 30,587